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ABSTRACT

Due to concerns about increases in nonresident tuition levels, lack of a state policy for nonresident tuition, and the fact that nonresident tuition was higher at California State University (CSU) in 1986-87 and 1987-88 than at the University of California (UC), the California legislature requested the Postsecondary Education Commission to recommend a long-term nonresident tuition policy for public colleges and universities. The discussions and findings are in three sections: nonresident tuition in California; nonresident tuition in other states; and recommendations for state policy guidelines for nonresident tuition. Part 1 "Nonresident Tuition in California," covers UC, CSU, California Community Colleges, segments comparisons, and California residency requirements. Part 2, "Nonresident Tuition in Other States," covers the methodology of selecting comparison institutions, level of fees, methodologies used for adjusting nonresident tuition levels, and residency requirements. In part 3, recommendations cover the following: context for policy, need for comparability among the differing nonresident methodologies, California nonresident charges compared with those charged by comparable institutions nationally, nonresident methodologies and their compatibility with the state's resident fee policy, need for revision of California's residency requirements, and differential fee levels for professional students in high-cost disciplines. Four appendices offer the text of Senate Concurrent Resolution 69 and information about the following: 1988-89 tuition and fees, UC and 23 other institutions; community college students who are or may be exempted from paying nonresident tuition; and exceptions to the general residency rule. (SM)

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STATE POLICY GUIDELINES FOR ADJUSTING NONRESIDENT TUITION AT CALIFORNIA'S PUBLIC COLLEGES AND UNIVERSITIES

Report of the Advisory Committee on Nonresident Tuition Policies Under Senate Concurrent Resolution 69

HE 023 033

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The California Postsecondary Education Commission has published this report of the Advisory Committee on Nonresident Tuition Policies Under Senate Concurrent Resolution 69 as part of its responsibility to distribute information on important issues facing California higher education.

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Executive Summary

DUE to concerns about increases in nonresident tuition levels, the lack of an overarching State policy for nonresident tuition, and the fact that nonresident tuition at the California State University in 1986-87 and 1987-88 was higher than at the University of California, the Legislature, through Senate Concurrent Resolution 69 (Morgan, 1988), requested the Commission to convene an intersegmental advisory committee to recommend a long-term nonresident tuition policy for California's public colleges and universities.

This report is the product of that committee's discussions and findings. It is organized as follows:

- The Introduction and Overview explains the origins and scope of the report.
- Part One explains the methodologies that California's three public segments of higher education use in determining their nonresident tuition charges, the actual levels of these charges, and the requirements that students must meet in order to be classified as California residents for purpose of assessing tuition.
- Part Two reviews nonresident tuition practices and student residency requirements in other states.
- And Part Three recommends a State policy guideline for nonresident tuition and explains the reasons for this recommendation.

During its deliberations, the advisory committee discussed a number of nonresident tuition related issues:

- In debating the question of whether a need exists to make each segment's nonresident tuition methodology comparable to that of the other segments, the committee concluded that to alter the methodologies simply for the sake of making them consistent would serve no practical purpose other than one of uniformity.
- The committee also reviewed the level of California's nonresident tuition charges in comparison with those of comparable institutions nationally and found that California's charges are close to, or slightly higher than, those charged by comparable public institutions in other states.

- In discussing whether the current methodologies are compatible with the State's existing resident fee policy, the committee determined that they are, except for two major provisions: (1) they do not provide additional financial aid for needy students as nonresident tuition charges increase, and (2) they do not ensure that tuition increases will be gradual, moderate, and predictable.
- The committee also examined California's uniform residency requirements and found that they are not in need of revision, since they are nearly identical to residency requirements of other states.
- Finally, the committee discussed whether professional students in high-cost disciplines should be charged a higher level of nonresident tuition than other students. The committee determined that this policy would not be appropriate, for it would be inconsistent with the State's existing student fee policy and would not provide the State with a substantial increase in revenue, since the number of nonresident students enrolled in these programs is relatively small.

Based on these discussions, the committee determined that the State would benefit from establishing some policy guidelines for the segments to follow as they annual adjust the level of nonresident tuition they charge out-of-state students. In addition to providing State-level direction, the committee also wanted to ensure that California's institutions remain competitive with comparable institutions nationally. Taking both these provisions into consideration, the committee recommends that:

As California's public postsecondary education segments annually adjust the level of nonresident tuition they charge out-of-state students, the nonresident tuition methodologies they develop and use should take into consideration, at a minimum, the following two factors: (1) the total nonresident charges imposed by each of their public comparison institutions and (2) the full average cost of instruction in their segment. Under no circumstances should a segment's level of nonresident tuition plus required fees fall below the marginal cost of instruction for that segment.

In addition, each segment should endeavor to maintain that increases in the level of nonresident tuition are gradual, moderate, and predictable, by providing nonresident students with a minimum of a 10-month notice of tuition increases. Each governing board is directed to develop its own methodology for adjusting the level of nonresident tuition, but those methodologies should be consistent with this recommendation and existing statutes.

Introduction and Overview

IN 1988, through Senate Concurrent Resolution 69 (Morgan), the California Legislature requested that the California Postsecondary Education Commission convene an intersegmental advisory committee to recommend a long-term nonresident undergraduate and graduate student tuition policy for California's public colleges and universities. (A copy of that resolution appears as Appendix A.)

Commission staff convened the committee, which consisted of the following members:.

Jonathan Brown, Association of Independent California Colleges and Universities;

Lee Butterfield, University of California Student Association;

Michael Glynn, California Maritime Academy;

Greg Gollihur, California Student Aid Commission;

David Hawkins, California State University Student Association;

Larry Hershman, Office of the President, University of California;

Stan Lena, California State Department of Finance;

Joan Majerus, Hastings College of the Law;

Stuart Marshall, Office of the Legislative Analyst;

John Richards, Office of the Chancellor, The California State University;

Jane Wellman, California Postsecondary Education Commission (*Chair*); and

Al Wilson, Chancellor's Office, California Community Colleges.

The committee is advisory to the Legislature and not to the Commission and is to submit its report, including recommendations on a long-term nonresident tuition policy, to the Legislature before July 1, 1989. As a result of the Governor's proposal in his 1989-90 Budget for a 17 percent increase in nonresident tuition at the University of California and a 21 percent increase at the California State University, the Commission sought to expedite the work of the committee so that its recommendations could be considered during this year's budget hearings.

The Legislature asked the committee to consider, at a minimum, the following criteria:

1. Consistent methodologies among California's public postsecondary segments;
2. Comparability with both the level of charges and residency requirements in other public colleges and universities nationally; and
3. Compatibility, where appropriate, with existing State policy for resident student fees.

The committee has sought to respond to this mandate in this report, which is organized as follows:

- Part One on pages 5-18 traces the general history of nonresident tuition in California, the methodologies that the three public segments of higher education use to determine their nonresident tuition charges, these actual tuition charges, and the requirements that students must meet in order to be classified as California residents for purpose of assessing tuition.
- Part Two on pages 19-23 reviews the nonresident tuition practices and student residency requirements of other states.
- And Part Three on pages 25-30 contains the committee's recommendations for a State policy guideline for nonresident tuition and explains the reasons for it.

1 Nonresident Tuition in California

IN ADDITION to paying fees identical to those paid by resident students, nonresidents attending California's public colleges and universities must also pay tuition, which is distinguished from "fees" because it pays for part or all of the cost of instruction. This principle of nonresidents paying more than their resident student counterparts was established at the University from its inception. In the mid-1950s, the State University, following a trend that had begun in other states, also began charging nonresident students more than that charged resident students. Not until the mid-1960s, however -- largely in response to a recommendation in the 1960 *Master Plan for Higher Education in California* -- did the State Legislature mandate that community colleges must also charge tuition as well as fees to nonresident students.

The 1960 Master Plan recommended that in addition to the fees paid by resident students, nonresident students should also pay tuition and that that tuition be equivalent to the average State contribution per student to the teaching expense in that segment in which the student is enrolled. That recommendation went on to define teaching expense as "the cost of the salaries of the instructors involved in teaching for the proportion of their time which is concerned with instruction, plus the clerical salaries, supplies, equipment, and organized activities related to teaching" (Master Plan Survey Team, 1960, p. 174).

More recently, in July 1987, the Commission for the Review of the Master Plan reiterated the sentiments of the 1960 report stating that nonresidents should pay the average cost of instruction, defined to clearly include the full direct cost of instruction (p. 44):

> Nonresident tuition for all three segments shall be equal to the average cost of instruction and related services, including administration but excluding research, except that it shall not exceed the average charge at comparable institutions in other states.

Because of the concerns about increases in nonresident tuition levels, the lack of an overarching State policy for nonresident tuition, and the fact that the State University's nonresident tuition in 1986-87 and 1987-88 was higher than the University's, Senator Morgan introduced Senate Concurrent Resolution 69. In January 1989, the Governor's Budget included proposed additional nonresident tuition increases of 17

percent for the University of California and 21 percent for the California State University.

The remainder of this chapter examines the history of nonresident tuition levels in each of California's three public postsecondary segments as well as the methodology they use in determining the tuition they charge, and will then discuss the requirements to become a California resident for tuition purposes.

University of California

Methodology for determining nonresident tuition

As indicated above, the University has charged tuition to its nonresident students since its inception. The Regents set policies and procedures for tuition levels it charges nonresident students. To date, the Regents have charged the same level of nonresident tuition to all students regardless of their academic level or program.

The Legislature's Supplemental Report of the 1984 Budget Act required the University to report on the methodology it uses to set nonresident tuition. The University submitted its report in January 1985 and indicated that it determines the level of nonresident tuition to charge based on three factors: (1) the marginal cost of adding one more full-time-equivalent student; (2) the nonresident tuition charged by 22 major institutions of higher education (listed in Appendix B); and (3) the expected change in economic indices, such as the Consumer Price Index. The report went on to state:

> The use of marginal analysis more closely reflects actual expense to the State for adding one additional student. Use of the two additional factors provides a valuable margin of flexibility for the University. In particular, current practice allows nonresident tuition levels to be kept competitive with nonresident charges made by other major public universities. The "fine tuning" this methodology provides has served the University well in allowing us to compete nationally for the very best graduate students.

The 1986-87 Budget Analysis of the Legislative Analyst recommended that the University's nonresident tuition setting methodology be revised to be based on the average nonresident charge, by program and level, imposed by the four public universities used for faculty salary comparison purposes. The Legislature did not accept the Analyst's recommendation, however, and therefore the University continues to use

the three previously mentioned factors to determine the level of nonresident tuition to charge out-of-state students.

Level of nonresident tuition

Display 1 below indicates the tuition levels that the University has charged nonresident students for the period 1978-79 to 1989-90. It also

DISPLAY 1 University of California Nonresident Charges for 1978-79 Through 1989-90

Level and Year	Resident Fees	Nonresident Tuition	Total Non-Resident Charge	Percent Increase Over Previous Year	Percentage Difference Between Resident and Nonresident Charges
Undergraduate Students					
1978-79	$ 720	$1,905	$2,625		365%
1979-80	736	2,400	3,136	19.5%	426
1980-81	776	2,400	3,176	1.3	409
1981-82	997	2,880	3,877	22.1	389
1982-83	1,300	3,150	4,450	14.8	342
1983-84	1,387	3,360	4,747	6.7	342
1984-85	1,324	3,564	4,848	2.1	366
1985-86	1,326	3,816	5,142	6.1	388
1986-87	1,345	4,086	5,432	5.6	404
1987-88	1,492	4,290	5,782	6.4	388
1988-89	1,554	4,956	6,510	12.6	396
1989-90 (proposed)	1,697	5,799	7,496	15.1	442
Average				10.2%	388%
Graduate Students					
1978-79	$ 769	$1,905	$2,674		350%
1979-80	784	2,400	3,184	19.1%	406
1980-81	824	2,400	3,224	1.3	391
1981-82	1,043	2,880	3,923	21.7	376
1982-83	1,346	3,150	4,496	14.6	334
1983-84	1,433	3,360	4,793	6.6	335
1984-85	1,368	3,564	4,932	2.9	361
1985-86	1,369	3,816	5,185	5.1	379
1986-87	1,387	4,086	5,473	5.6	395
1987-88	1,474	4,290	5,764	5.3	391
1988-89	1,559	4,956	6,515	13.0	418
1989-90 (proposed)	1,702	5,799	7,501	15.1	440
Average				10.0%	381%

indicates the total amount that nonresidents must pay to attend the University as well as the percentage by which nonresident charges exceed resident charges. As is evident from the data, the average annual increase in nonresident student charges from 1978-79 to the proposed level for 1989-90 is 10.2 percent for undergraduates and 10.0 percent for graduate students. The 0.2 percent difference between undergraduates and graduate students can be attributed largely to the elimination of the educational fee differential between undergraduate and graduate students that was mandated by SB 195 (1985).

In comparing resident charges with those for nonresidents, the data indicate that on the average from 1978-79 to 1989-90, nonresident undergraduates paid 388 percent more than their resident counterparts, while nonresident graduate students paid 381 percent more than their counterparts. Especially noteworthy are the higher percentages experienced during the past five years. These data indicate that today's nonresident students are paying more than four times the amount paid by their resident student counterparts.

Treatment of nonresident tuition revenue and budgeting of nonresident student enrollment

In theory, nonresident tuition revenue collected by the University reverts back to the State's General Fund. In actuality, the University's General Fund appropriations are reduced by the amount that it collects in nonresident tuition and thus nonresident tuition can be thought of as an offset to the University's General Fund appropriations. Because nonresident tuition theoretically reverts back to the State, costs associated with enrollment of nonresident students are factored into the University's General Fund appropriations budget based on the same full-time-equivalent formulas used for resident students.

Enrollment of nonresident students

Display 2 on the opposite page shows the percentage of nonresident students enrolled in the University in Fall 1988. Overall, approximately 8.8 percent of the University's Fall 1988 enrollment was of nonresident students -- 4.5 percent foreign nonresidents, and 4.3 percent U.S. citizen nonresidents. In terms of academic level, nonresident students are represented in higher proportions at the graduate level than at the undergraduate level, with nonresidents amounting to 22.2 percent of graduate enrollments and only 4.9 percent of undergraduate enrollments. Foreign nonresident students amount to 14.5 percent of the University's total graduate enrollment.

DISPLAY 2 *Number and Percent of Students (Excluding Health Science Students) Enrolled by Residency Classification for Tuition Purposes at the University of California, Fall 1988*

	California Resident		US Citizen Nonresident		Foreign Nonresident	
	Number	Percent	Number	Percent	Number	Percent
Undergraduate	116,130	95 1%	4,055	3.3%	1,945	1.6%
Graduate	27,229	77.8	2,696	7.7	5,067	14.5
Total	143,359	91.2	6,751	4.3	7,012	4.5

The California State University

Methodology for determining nonresident tuition

In addition to charging nonresident students fees identical to those paid by resident students, the California State University is also obligated to charge them nonresident tuition and has authority to do so under Sections 68050 and 89705 of the State's Education Code. Although these sections specify that minimum tuition be set at $360 per year, the Trustees determine the actual amount to be charged. The methodology that the Trustees use in setting nonresident tuition is specified in Section 41901 of Title 5 of the California Code of Regulations. That section -- last revised in 1982 -- requires that the tuition fee be based on the average cost of the net State support to the State University's Instruction and Academic Support Budgets.

The total State support going into these budget categories is divided by the number of full-time-equivalent students. That amount is then used as the tuition level for full-time nonresident students. Since the State University charges nonresident tuition based on the number of units in which a nonresident student enrolls, the tuition level calculated above is then divided by 15 to obtain the per unit nonresident tuition fee.

It should be noted, however, that the methodology outlined above for determining nonresident tuition charged by the State University is far more comprehensive than the methodology it used formerly and is largely a result of the State Auditor General's 1981 report that recommended that the State University revise its nonresident tuition methodology in order to eliminate the State General Fund from subsidizing nonresident students' education. The Auditor's report noted that the previous methodology did not reflect administrative costs associated with enrolling an additional student and did not collect sufficient revenue from those nonresident students who choose to enroll for more than

15 units, since it assessed only one fee level on all nonresident students who enrolled in 15 units or more.

Level of nonresident tuition

Display 3 below indicates the tuition levels that the State University has charged nonresident students for the period 1978-79 to 1989-90. The display also indicates the total amount that nonresidents must pay to attend the State University as well as the percentage by which nonresident charges exceed resident charges. As is evident from the data, the average annual increase in nonresident student charges from 1978-79 to the proposed level for 1989-90 is 12.1 percent. As the data indicate, the average annual increase in nonresident charges at the State University has been sporadic, with increases as great as 32.2 percent in 1981-82 and as small as 4.6 percent in 1979-80.

DISPLAY 3 Average California State University Nonresident Charges for 1978-79 Through 1989-90

Year	Resident Fees	Nonresident Tuition	Total Non-Resident Charge	Percent Increase Over Previous Year	Percentage Difference Between Resident and Nonresident Charges
1978-79	$212	$1,710	$1,922		907%
1979-80	210	1,800	2,010	4.6%	957
1980-81	226	2,160	2,386	18.7	1,055
1981-82	319	2,835	3,154	32.2	989
1982-83	505	3,150	3,655	15.9	724
1983-84	692	3,240	3,932	7.6	568
1984-85	658	3,510	4,168	6.0	633
1985-86	666	3,780	4,446	6.7	668
1986-87	680	4,230	4,910	10.4	722
1987-88	754	4,410	5,164	5.2	685
1988-89	815	4,680	5,495	6.4	674
1989-90 (proposed)	881	5,670	6,551	19.2	744
Average				12.1%	777%

In comparing resident and nonresident student charges, the data indicate that on the average from 1978-89 to 1989-90, nonresident students paid 777 percent more than their resident counterparts. These data show that today nonresident students are paying approximately seven times the amount paid by their resident student counterparts.

It should be noted that the nonresident tuition level shown below is for a student enrolled in 15 units of credits. Since the State University charges nonresident tuition on a per unit basis, students enrolled in more or less than 15 units will pay a nonresident tuition amount different than the level reported above. This is particularly significant for graduate students who typically enroll in fewer than 15 units, and thus pay a lower amount of nonresident tuition.

Treatment of nonresident tuition revenue and budgeting of nonresident student enrollment

The State University's treatment of nonresident tuition and its budgeting process for nonresident enrollments is identical to that used by the University. Theoretically, nonresident tuition revenue collected by the State University reverts back to the State's General Fund, but in actuality the State University's General Fund appropriations are reduced by the amount that it collects in nonresident tuition. Thus, as with the University, nonresident tuition can be thought of as an offset to the State University's General Fund appropriations. Because nonresident tuition in theory reverts back to the State, costs associated with enrollment of nonresident students are factored into the State University's General Fund appropriations budget based on the same full-time-equivalent formulas used for resident students.

Enrollment of nonresident students

Display 4 below shows the percentage of nonresident students enrolled in the State University in Fall 1987. Overall, approximately 3.5 percent (11,876) of the State University's Fall 1987 enrollment was of nonresident students -- 2.5 percent foreign nonresidents and 1.0 percent U.S. citizen nonresidents. In terms of academic level, nonresident students are represented in higher proportions at the graduate level than

DISPLAY 4 *Number and Percent of Students Enrolled by Residency Classification for Tuition Purposes at the California State University, Fall 1987*

	California Resident		US Citizen Nonresident		Foreign Nonresident	
	Number	Percent	Number	Percent	Number	Percent
Undergraduate	265,851	97.0%	2,241	0.8%	5,895	2.2%
Graduate	65,049	94.6	990	1.4	2,750	4.0
Total	330,900	96.5	3,231	1.0	8,645	2.5

at the undergraduate level, with nonresidents amounting to 5.4 percent of graduate enrollments and only 3.0 percent of undergraduate enrollments.

California Community Colleges

Methodology for determining nonresident tuition

Sections 72252 and 76140 of California's Education Code mandates that each community college district charge nonresident students tuition as well as an enrollment fee. It also specifies the four different methodologies that the individual districts may use in determining the nonresident fee that they may charge:

1. Taking the amount which was expended by the district for the current expense of education in the preceding fiscal year increased by the projected percentage increase in the U.S. Consumer Price Index as determined by the State Department of Finance for the current and succeeding fiscal years and divided by the average daily attendance of all students (including nonresident students) enrolled in the district during the past fiscal year; or
2. Using the formula above, but calculating the tuition based on statewide data for all community colleges; or
3. Districts with 10 percent or more noncredit average daily attendance may use an alternative methodology, which uses the current expense for education for credit enrollment and the average daily attendance for credit enrollment and excludes noncredit data; or
4. A district may choose to set its nonresident tuition fee at a level not to exceed the tuition level established by the governing board of an adjoining community college district.

The tuition level calculated by one of the above methodologies is then divided by 30 for colleges operating on the semester system and by 45 for colleges operating on the quarter system in order to obtain the per unit charge for nonresident students. The local governing boards are required to adopt a nonresident tuition fee by February 1 for that fee to take effect in the succeeding academic year.

The law provides several exemptions regarding nonresident tuition in community colleges.

- One allows a district that borders another state and has average daily attendance of less than 500 from having to establish mandatory nonresident tuition. This exemption currently applies only to the Palo Verde Community College District. However, that district has established a nonresident fee, but its fee is approximately one-third of the statewide average.
- Districts may also exempt all or part of tuition for (1) nonresident students who enroll in six or fewer units and (2) nonresident students who are both citizens and residents of a foreign country. Students exempted under the latter provision must demonstrate financial need, and each district may not exempt more than 10 percent of its nonresident foreign students.
- In addition, several other categories of students are exempted from paying the nonresident tuition fee. Those students falling under one of the exempted classifications are listed in Appendix C.

The Chancellor's Office of the California Community Colleges has estimated that as a result of these exemptions, nonresident tuition revenue pays for approximately nine-tenths of the cost of instruction for nonresident students, leaving the remaining one-tenth of the cost being subsidized by the State's General Fund and local tax revenues.

Level of nonresident tuition

Display 5 below shows the statewide average amount charged full-time nonresident students attending community colleges from 1974-75 to 1988-89, as well as the average annual percentage increases in these charges.

Treatment of nonresident tuition revenue and budgeting of nonresident student enrollment

Nonresident tuition revenue collected by California's community colleges is retained by the district in which the student is enrolled. Because of that fact, nonresident students paying out-of-state tuition are not included in the calculations of average daily attendance used in determining the level of General Fund appropriations to the community colleges. However, nonresident students who are exempt from paying nonresident tuition (excluding those who are exempted by a distict for reasons of financial hardship) are included in the average daily attendance calculations, and thus the State's General Fund and local tax revenues subsidize their education.

DISPLAY 5 Average California Community College Nonresident Charges for 1979-80 Through 1989-90

Year	Nonresident Charges	Percent Increase Over Previous Year
1979-80	$1,830	
1980-81	1,980	8.2%
1981-82	2,040	3.0
1982-83	2,110	3.4
1983-84	2,130	1.0
1984-85	2,290	7.5
1985-86	2,440	6.6
1986-87	2,680	9.8
1987-88	2,800	4.5
1988-89	2,830	1.1
1989-90 (proposed)	2,920	3.2
Average		4.4

Enrollment of nonresident students

Currently, no statewide data is collected on the residency of community college students; however, student residency data is collected by the local community college districts. The community college's Management Information System, which is presently being pilot tested, will be able to provide statewide data on the residency of community college students in the future if it is implemented. Until that date, the number of nonresident students can be approximated from other sources of information, such as average daily attendance data. In 1987-88, California's community colleges enrolled an estimated 23,496 nonresident students, who comprised 2.2 percent of their total enrollment. The Chancellor's Office estimates that about one-half of these were foreign nonresidents and the others were U.S. citizen nonresidents. In addition, that office estimates that the percentage of nonresident enrollment in the community colleges has remained fairly stable over the past five years.

Summary and comparison of the segments

Display 6 on page 15 summarizes the enrollment of nonresident students and the amounts charged them to attend California's three public

DISPLAY 6 *Nonresident Enrollment and Charges at California's Three Public Postsecondary Segments*

Segment	Fall 1987 Nonresident Enrollment as Percent of Total Segmental Enrollment		1988-89 Nonresident Charges
	Undergraduate	Graduate	
University of California*	4.9%	22.2%	$6,510
The California State University	3.0	5.4	$5,495
California Community Colleges	2.2	n/a	$2,830

*Data for Fall 1988 and excludes health science students.

higher education segments. Nonresident enrollment at California's public colleges and universities comprises a relatively small percentage of total enrollment in these institutions, with the one exception being graduate nonresident students at the University, who comprise nearly one-quarter of total graduate enrollment in that segment. In terms of 1988-89 nonresident charges, nonresident students pay approximately $1,000 more to attend the University than the State University, most of which can be attributed to the difference in resident fee level between the two segments. State University nonresident charges are nearly twice those charged nonresidents attending California's community colleges.

California residency requirements

Sections 68000 to 68134 of Part 41 of the California Education Code contain uniform residency requirements that all public postsecondary education institutions (with the exception of the University of California) must follow in determining whether a student qualifies as a California resident for tuition purposes. (The University has adopted these provisions voluntarily and therefore complies with them.) Generally speaking, in order to be classified a resident, a student must present evidence of physical presence in the State for more than one year and one day prior to enrollment along with an "intent" to make California his or her home. If the student is in California solely for the purpose of education, and not with the intent to make it his or her home, the student will not gain residency status for purpose of tuition regardless of his or her length of stay in the State.

Examples of steps that students can take to prove their "intent" to make California their home are specified in Title 5 of the Administrative Code for the community colleges and for the State University, and in the Regents' Standing Orders for the University of California and include, but are not limited to, the following:

Ownership of residential property or continuous occupancy of rented or leased property in California.

Registering to vote and voting in California.

Licensing by the State of California for professional practice.

Active membership in service or social clubs.

Presence of spouse, children, or other close relatives in the State.

Showing California as the home address on federal income tax form.

Payment of California State income tax as a resident.

Possessing California motor vehicle license plates.

Possessing a California driver's license.

Maintaining a permanent military address or home of record in California while in the armed forces.

Establishing and maintaining active California bank accounts.

Being the petitioner for a divorce in California.

The Administrative Code and Standing Orders also list several activities that will prevent a student from gaining residency status for tuition purposes. These activities include, but are not limited to:

Maintaining voter registration and voting in another state;

Being the petitioner for a divorce in another state;

Attending an out-of-state institution as a resident of that state;

Declaring nonresidence for California State income tax purposes.

In addition, there are a number of exceptions to the general residency rule. Among those individuals who may be exempt from the general residency requirements are:

Children of previous California residents,
Self-supporting minors,
Prior California minors,
Minor independent children,
Minor dependents of California adults,
Military personnel,
Military dependents,

Children of killed police or fire personnel,
Adult aliens,
Minor aliens,
Apprentices,
Public school staff,
Institutional staff and dependents, and
Exchange students.

Additional information on the conditions under which these individuals may be classified as residents for tuition purposes is included in Appendix D.

If upon initial enrollment a student is classified as a nonresident, in order to be reclassified as a resident for tuition purposes the student must be financially independent and must meet the following three requirements:

- The student should not have been claimed by a parent as an exemption for State or federal tax purposes either in the calendar year in which he or she seeks reclassification or in any of the three previous calendar years.
- The student should not have received more than $750 in any year in financial assistance from parents in any of these four years,
- The student should not have lived in parent's home for more than six weeks during any of these four years.

However, it should be noted that, because of legislation, since the 1983-84 academic year graduate students who were enrolled and employed 49 percent time or more as teaching or research assistants by the University or State University have been exempt from showing financial independence and need only demonstrate an intent of making California their home in order to obtain residency classification.

Students from foreign countries obtain residency status through a different procedure than do U.S. citizen nonresidents. Foreign students must go through a lengthy and complex process with the Immigration and Naturalization Service. Generally, the foreign student's parents or spouse has to be a U.S. citizen, or the student has to be employed in a specialized work that does not displace a U.S. resident employee. The criteria of physical presence in California and an intent to make California one's home does not apply to a foreign student unless he or she attempts to obtain residency through work as a teaching or research assistant for the University or State University.

In addition, under the law, a public institution may require students to take an oath or affirmation in connection with their testimony necessary to determine their residency classification.

As will be discussed in further detail in the following section, the two criteria used in determining California residency -- physical presence and intent -- is a common requirement for residency among states across the nation.

2 Nonresident Tuition in Other States

AS NOTED in the previous section, Senate Concurrent Resolution 69 also directed the advisory committee to consider in its deliberations the level of charges and residency requirements in other public colleges and universities nationally. This section discusses the charges and residency requirements of selected public postsecondary institutions in other states.

Methodology for selecting comparison institutions

SCR 69 was not specific as to which states' public colleges and universities should be used for comparison purposes. The advisory committee determined that the most appropriate set of institutions for this purpose would be those public institutions used in the Commission's faculty salary methodology calculations. These institutions were selected for use in the faculty salary methodology because their educational missions, functions, purposes, and objectives are comparable to those of either the University of California or the California State University. Because of these similarities, the committee believes that these institutions also serve as good comparisons in this study.

However, because only four of the University of California's faculty salary comparison institutions are public, the committee agreed that more than this limited number should be surveyed for comparison purposes. The committee chose four additional institutions -- the Statutory Colleges of Cornell University, the University of North Carolina-Chapel Hill, the University of Washington, and the University of Wisconsin-Madison -- as comparison institutions for the University of California. Two of these four -- the Statutory Colleges of Cornell University and the University of Wisconsin-Madison -- were selected because they had at one time been University faculty salary comparison institutions.

Since the faculty salary methodology contains comparison institutions only for the University and the State University, comparison institutions to California's community colleges were not readily available. Lacking such comparison institutions for the community colleges, the committee determined that data contained in a March 19, 1989, report from the Chancellor's Office of the California Community Colleges --

Review of Out-of-State/Out of Country Fees -- serves as useful information on how California's community colleges compare with others across the nation.

Level of fees in other states

University of California comparison institutions

Display 7 below lists the University's four public faculty salary comparison institutions and the four additional institutions that the committee determined would serve as useful comparisons as well as the 1988-89 undergraduate and graduate tuition and required fees that these institutions charge resident and nonresident students. As the data indicate, the University's charge to both undergraduate and graduate resident students is less than that charged by the comparison group. The University charges nonresident undergraduates the average amount charged by the comparison institutions, but it charges nonresident graduate students slightly less than their average.

DISPLAY 7 Tuition and Fees at University of California Comparison Institutions for Full-Time Resident and Nonresident Undergraduate and Graduate Students, 1988-89

Institution	Undergraduate		Graduate	
	Resident	Nonresident	Resident	Nonresident
Cornell University Statutory Colleges	$5,200	$9,300	$6,040	$ 6,040
State University of New York at Buffalo*	1,490	4,090	2,214	4,672
University of Illinois, Urbana*	2,815	6,466	3,229	7,909
University of Michigan, Ann Arbor*	3,170	10,386	5,191	10,715
University of North Carolina - Chapel Hill	876	4,830	876	4,830
University of Virginia*	2,526	6,336	2,526	6,336
University of Washington	1,797	4,998	2,601	6,474
University of Wisconsin-Madison	1,857	5,639	2,617	7,762
Average of Above Institutions	$2,466	$6,506	$3,162	$6,842
University of California	$1,554	$6,510	$1,559	$6,515

* Institutions presently in the Commission's faculty salary comparison group for the University.

California State University comparison institutions

Display 8 below shows that the State University charges resident undergraduate and graduate students less than the average charged by its 14 public faculty salary comparison institutions. The display also indicates that the State University charges both undergraduate and graduate nonresident students approximately $1,000 more than the average of these institutions.

DISPLAY 8 Tuition and Fees at California State University Comparison Institutions for Full-Time Resident and Nonresident Undergraduate and Graduate Students, 1988-89

Institution	Undergraduate		Graduate	
	Resident	Nonresident	Resident	Nonresident
Arizona State University	$1,278	$4,866	$1,278	$4,866
Cleveland State University	2,277	4,554	2,775	5,550
Georgia State University	1,284	4,236	1,083	3,543
Mankato State University	1,330	2,032	1,006	1,406
North Carolina State University	921	4,875	921	4,875
Rutgers the State University of New Jersey, Newark	2,512	4,792	3,478	4,908
State University of New York, Albany	1,478	4,078	2,175	4,625
University of Colorado, Denver	1,399	5,817	1,988	6,161
University of Maryland, Baltimore County	2,016	5,402	2,668	4,684
University of Nevada, Reno	1,200	3,400	800	3,000
University of Texas, Arlington	790	3,286	790	3,286
University of Wisconsin, Milwaukee	1,916	5,698	2,676	7,821
Virgina Polytechnic Institute and State University	2,544	5,184	2,946	3,324
Wayne State University	2,289	5,059	2,372	5,060
Average of Above Institutions	$1,660	$4,517	$1,925	$4,508
California State University	$815	$5,495	$815	$5,495

Community college comparisons

According to the *Review of Out-of-State/Out-of-Country Fees* by the Chancellor's Office, California's community colleges rank eighteenth among all states in the average amount of tuition they charge nonresident students, with 32 states charging less. As of 1988-89, community college nonresident charges across the nation ranged from $250 to $6,048, with the average being $2,348 and California averaging $2,568; or 10 percent higher than the national average.

Methodologies used in other states for adjusting nonresident tuition levels

The methods used by comparison institutions of the University and State University to determine their nonresident tuition are summarized in Display 9 below. In six of the 17 states (35 percent), they use some proportion of the cost of instruction or the cost of education in computing this change. It should be noted, however, that each state defines cost of instruction/education in a different way, thus making comparisons between the states exact methodologies difficult at best. In three of the 17 (18 percent), the charges are equivalent to some multiple of their resident tuition and fee charges. In another three, the charges are based on charges of comparison institutions; and in still another three, the charges are left to the discretion of the governing board. In the remaining two states, nonresident tuition is determined in the annual budgeting process or is a fixed amount not subject to annual adjustment.

DISPLAY 9 Methodologies Used by Other States for Adjusting Nonresident Tuition Levels

State	Methodology
Arizona	A proportion of the increase in the average cost of education.
Colorado	Comparison institutions/marketplace.
Georgia	Comparison institutions.
Illinois	100 percent of instructional costs.
Maryland	Determined at discretion of the governing board.
Michigan	Determined at discretion of the governing board.
Minnesota	Determined at discretion of the governing board.
Nevada	Fixed amount.
New Jersey	Twice resident tuition and fees.
New York	State budget driven/derived.
North Carolina	Comparison institutions.
Ohio	Twice resident tuition and fees.
Oregon	80 percent of cost of instruction.
Texas	Average cost of education.
Virginia	Three times resident tuition and fees.
Washington	100 percent of educational cost for undergraduates, 60 percent for graduates.
Wisconsin	105 percent of instructional cost for undergraduates, 80 percent for graduates.

Residency requirements in other states

As mentioned earlier, the criteria that California institutions use for determining residency is fairly consistent with those used in other

states. More specifically, 14 of the 17 states listed in Display 9 (all but Illinois, Maryland, and Michigan) have uniform student residency requirements that, like California's, require students to physically reside in the state for at least 12 months for purposes other than going to college in order to establish residency status in that state. As with California, however, they make certain exceptions to this general rule. Maryland requires a period of residency of only six months, while Illinois and Michigan leave the determination of residency status to the discretion of their institutional governing boards, which use between three months and one year as their requirement, with the average being six months. Thus, California's uniform residency requirement is comparable to that in the majority of other states surveyed.

3 Recommendation for State Policy Guidelines for Nonresident Tuition

THE advisory committee does not believe it is necessary for California's segments of higher education to follow the same methodology for calculating the level of nonresident tuition for the reason that they differ fundamentally in mission, funding, and type of student served. The committee does believe, however, that the State would benefit by adopting a policy that provides the segments with some guidance for determining their level of nonresident tuition. In discussing various alternative policies, the committee favored selecting one that, while providing guidance to the segments, also allows them the flexibility to remain competitive with comparable institutions. After weighing the various alternatives, on March 17, 1989, the committee reached consensus on the following recommendation:

As California's public postsecondary education segments annually adjust the level of nonresident tuition they charge out-of-state students, the nonresident tuition methodologies they develop and use should take into consideration, at a minimum, the following two factors: (1) the total nonresident charges imposed by each of their public comparison institutions and (2) the full average cost of instruction in their segment. Under no circumstances should a segment's level of nonresident tuition plus required fees fall below the marginal cost of instruction for that segment.

In addition, each segment should endeavor to maintain that increases in the level of nonresident tuition are gradual, moderate, and predictable, by providing nonresident students with a minimum of a ten-month notice of tuition increases. Each governing board is directed to develop its own methodology for adjusting the level of nonresident tuition, but those methodologies should be consistent with this recommendation and existing statutes.

During its deliberations in developing this recommendation, the committee discussed the following three issues:

1. Whether a need exists to make the methodologies presently used by the segments identical;
2. Whether the level of nonresident tuition as determined by the existing methodologies differs substantially from the tuition and required

fees charged by comparable public postsecondary institutions in other states; and

3. Whether the existing nonresident tuition methodologies are compatible with the State's existing resident fee policy.

This section of the report summarizes the committee's discussions of these issues in light of its recommendation.

Context for the policy

Although the committee was not specifically asked to comment on overall nonresident student policies, it prefers to forward its recommendations to the Legislature in the context of the State's policy goals regarding nonresident students. The State of California -- its educational institutions, its communities, and its economy -- have historically benefited from nonresident students. Nonresident students do not "take places" away from California residents, because the State's undergraduate admission and enrollment policies ensure a place for all qualified California residents. Even at the graduate level, where admission policies encourage a competitive and selective process, there is no evidence that qualified California students are being denied access to graduate study.

Nonresident students enhance the learning experience of resident students by providing diversity to the educational process. They bring with them diverse backgrounds, viewpoints, and cultural styles from which resident students learn about others. In addition, they also benefit the State through their economic activity while in the State. State policies should continue to support this level of pluralism.

Need for comparability among the differing nonresident methodologies

Among the issues that the Legislature, through Senate Concurrent Resolution 69, directed the advisory committee to consider was the need for consistent methodologies among California's segments of public postsecondary education. As explained in detail in Part One of this report, each segment uses a different methodology for determining the nonresident tuition it charges; and the community colleges have several methodologies from which to choose to adjust the level of nonresi-

dent tuition. After considerable discussion of whether a need exists to make the methodologies consistent among the segments, the committee agreed that these methodologies need not be identical: They do not hinder the segments from carrying out their stated missions, and to alter them simply for the purpose of making them consistent would serve no practical purpose other than uniformity.

California nonresident charges compared with those charged by comparable institutions nationally

SCR 69 also directed the advisory committee to examine the level of nonresident charges in other states and compare those levels with that charged by California's public institutions. To summarize the information in Part Two:

- The University's 1988-89 total charge to nonresident undergraduates is nearly equivalent to the average charged by its comparison institutions, while its charge to nonresident graduate students is slightly lower than their average -- but with the 17 percent increase in nonresident tuition proposed by the Governor for 1989-90, the University's nonresident charges to both undergraduate and graduate students will likely be higher than the averages of its comparison institutions.
- Total nonresident charges at the State University at both the undergraduate and graduate levels are approximately $1,000 higher than that charged students at its comparison institutions, and the proposed nonresident tuition increase of 21 percent for the State University in 1989-90 will likely push that figure above its present level.
- And California's community colleges charge nonresident students approximately 10 percent more than the average of community colleges nationally.

This evidence thus shows that California's present nonresident tuition levels are close to, or slightly higher than, those in comparable institutions nationally. However, the proposed nonresident tuition increases at both the University and State University will make California's tuition level higher than those of other states.

Nonresident methodologies and their compatibility with the State's resident fee policy

California has historically been committed to tuition-free public higher education for its in-State citizens. That commitment was repeated by the 1960 Master Plan for Higher Education in its recommendation that "the governing boards reaffirm the long established principle that state colleges and the University of California shall be tuition free to all residents of the state" (Master Plan Survey Team, 1960, p. 174). The Master Plan distinguished "tuition" from "fees" as follows:

> Tuition is defined generally as student charges for *teaching expense*, whereas fees are charges to students, either collectively or individually, for services not directly related to instruction, such as health, special clinical services, job placement, housing, and recreation.

Thus resident students pay fees to cover a portion of costs unrelated to teaching expense, while nonresident students also pay tuition to cover their portion of teaching expense. As noted in Part One, the Master Plan recommended that the level of this tuition equal the average State contribution per student to teaching expense in the segment in which the student is enrolled.

The segments' current tuition and fee methodologies are compatible with these definitions. Increases in resident student fees are determined by growth in the State's General Fund appropriations to the University and State University for noninstructional related services, while nonresident tuition levels are determined by the methodologies outlined in Part One that take into account the State's General Fund appropriations for instruction or teaching expense in that segment. More specifically, the University of California determines teaching expense through analyzing the marginal cost of adding each additional student, while the State University and the community colleges take teaching expense into consideration more directly through the use of specific "teaching expense related" budget categories. Thus, the committee believes that these methodologies are consistent with the Master Plan's recommendation for determining nonresident tuition levels.

However, these methodologies are not compatible with the State's resident fee policy in two important respects: (1) in not providing additional financial aid for needy students as increases in nonresident tuition occur, and (2) in not ensuring that nonresident tuition increases are gradual, moderate, and predictable.

Financial aid for needy nonresident students

The State's resident fee policy mandates that adequate financial aid be provided to offset increases in resident fees for financially needy students. No such assurance for increases in financial aid exist as nonresident tuition increases. Yet the financial aid possibilities of nonresident students are limited, since they are not eligible to participate in State-funded need-based financial aid programs. Nonresident students who are United States citizens are eligible for federal financial aid, but foreign nonresidents are not. The segments may grant certain nonresident students tuition waivers, but no assurance exists that the number or dollar amount of these waivers will increase with increases in the nonresident tuition level.

The committee has not determined whether State funding of financial aid for nonresident undergraduates is necessary, but as the State endeavors to increase and diversify graduate enrollments, policy makers may well wish to examine the advantages of increasing both need and merit based aid for graduate students. The committee believes that this important issue is best decided in the context of State policy and planning for graduate education, rather than that of nonresident tuition.

Characteristics of fee increases

The State's resident fee policy ensures that increases in resident fees will be gradual, moderate, and predictable by placing a 10 percent cap on the level of fee increase in any given academic year. No such cap exists for increases in the level of nonresident tuition; and as a result, they may be precipitous and unexpected as can be seen in the tuition changes over time depicted in Displays 1 and 3 of Part One. For this reason, the committee agrees that the segments and the State should make every effort to ensure that future nonresident tuition increases are as gradual, moderate, and predictable as those of resident fees.

Need for revision in California's residency requirements

The committee also discussed whether a need exists to revise California's uniform residency requirements. Based on the findings contained in Part Two of this report, it does not believe that they need revision,

since they are nearly identical to those in the majority of other states surveyed.

Differential fee levels for professional students in high-cost disciplines

The committee also discussed whether certain professional students in high cost disciplines such as medicine and dentistry should pay higher tuition than do other nonresident students. It concluded that differential rates are inappropriate for two fundamental reasons. First, the imposition of such a differential would conflict with the State's existing resident fee policy, which mandates that segments charge graduate students the same fee charged undergraduates. Second, the differential would not provide the State with a significant increase in revenue, since the number of nonresident students enrolled in these professional high cost disciplines is a relatively small number. To deviate from a reasonable policy for no particular financial gain makes little sense.

Appendix A

Senate Concurrent Resolution 69 (1988, Morgan)

RESOLUTION CHAPTER 162

Senate Concurrent Resolution No. 69—Relative to nonresident tuition.

[Filed with Secretary of State September 15, 1988.]

LEGISLATIVE COUNSEL'S DIGEST

SCR 69, Morgan. Nonresident student tuition policy.

This measure would request the California Postsecondary Education Commission to convene one or more meetings of an advisory committee consisting of representatives of the University of California, California State University, Hastings College of the Law, California community colleges, Department of Finance, Legislative Analyst, authorized student representatives, and the California Postsecondary Education Commission for the purpose of developing recommendations for a long-term nonresident undergraduate and graduate student tuition policy, as specified. This measure would also request the California Postsecondary Education Commission to present to the Legislature and the Governor recommendations developed by the advisory committee.

WHEREAS, Nonresident tuition for the University of California, the California State University, and the California community colleges system has not recently been reviewed by the Legislature; and

WHEREAS, Current state policy regarding fees at public colleges and universities does not consider nonresident tuition; and

WHEREAS, California State University currently has higher nonresident graduate tuition than the University of California, the state's recognized research institution; and

WHEREAS, The Legislature desires to enhance the opportunity of maximum access to, and viability of, the University of California, California State University, and California community colleges systems as educational institutions for state residents; and

WHEREAS, The Legislature is interested in maintaining high quality programs at the University of California, California State University, and California community colleges for the best qualified students while ensuring an equitable nonresident tuition level; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That it is the intent of the Legislature to adopt a long-term nonresident undergraduate and graduate student tuition policy for California's public colleges and universities; and be it further

Resolved, That the California Postsecondary Education

Commission is hereby requested to convene one or more meetings of an advisory committee consisting of representatives of the University of California, California State University, Hastings College of the Law, California community colleges, Department of Finance, Legislative Analyst, and authorized student representatives; and be it further

Resolved, That the participants of those meetings be requested to develop recommendations for a long-term nonresident undergraduate and graduate student tuition policy for California's public universities. In developing these recommendations, the participants shall consider, but need not recommend, the following criteria:

(a) Consistent methodologies among the University of California, the California State University, and the California community colleges.

(b) Comparability with both the level of charges and residency requirements for nonresident students at public colleges and universities in other states.

(c) Compatibility, where appropriate, with existing state policy for resident student fees.

The recommendation should include specific tuition level calculation methodologies for the purpose of establishing the nonresident tuition levels and their adjustment on a year-to-year basis; and be it further

Resolved, That the California Postsecondary Education Commission, prior to July 1, 1989, is hereby requested to present to the Legislature and the Governor recommendations developed by the advisory committee for a long-term nonresident undergraduate and graduate student tuition policy for California's public colleges and universities; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the California Postsecondary Education Commission, the Regents of the University of California, the Board of Trustees of the California State University, the Board of Directors of Hastings College of the Law, the Board of Governors of the California Community Colleges, the Department of Finance, and the Legislative Analyst.

O

Appendix B

1988-89 Tuition and Fees, University of California and 23 Other Institutions

INSTITUTION	UNDERGRADUATE		GRADUATE		MEDICINE	
	Resident	Nonresident	Resident	Nonresident	Resident	Nonresident
UNIVERSITY OF COLORADO (Boulder)	$1,906	$7,784	$2,276	$7,586	$7,604	$31,439
CORNELL UNIVERSITY						
(Statutory Colleges)	5,240	9,340	6,064	6,064		
UNIVERSITY OF ILLINOIS (Champaign-Urbana)			3,268	7,948	6,114	16,284
Lower Division	2,698	6,238				
Upper Division	2,944	6,976				
INDIANA UNIVERSITY (Bloomington)	1,887	5,448	1,970	5,513	4,900	11,200
UNIVERSITY OF IOWA	1,706	5,488	2,020	5,720	5,376	13,540
IOWA STATE UNIVERSITY	1,706	5,488	2,020	5,720		
UNIVERSITY OF KANSAS	1,379	3,809	1,619	4,049	5,915	12,061
UNIVERSITY OF MARYLAND						
(College Park)	1,906	5,292	2,592	4,608	7,291	14,029
UNIVERSITY OF MICHIGAN (Ann Arbor)			5,191	10,715	9,183	17,189
Lower Division	3,011	10,023				
Upper Division	3,329	10,749				
MICHIGAN STATE UNIVERSITY			3,264	6,342	7,215	15,549
Lower Division	2,805	6,934				
Upper Division	3,053	7,181				
UNIVERSITY OF MINNESOTA			2,865	5,658	7,116	13,920
Lower Division	2,163	4,938				
Upper Division	2,253	5,166				
UNIVERSITY OF MISSOURI (Columbia)			1,916	4,813	6,192	9,731
Lower Division	1,802	4,955				
Upper Division	1,970	5,459				
UNIVERSITY OF NEBRASKA (Lincoln)	1,703	4,201	1,796	4,010	6,459	11,161
STATE UNIVERSITY OF NEW YORK						
(Buffalo)	1,490	4,090	2,214	4,672	5,610	10,960
UNIVERSITY OF NORTH CAROLINA						
(Chapel Hill)	876	4,830	872	4,826	1,501	9,847
OHIO STATE UNIVERSITY	2,040	5,628	2,679	6,768	5,181	14,550
UNIVERSITY OF OREGON (Eugene)	1,649	4,517	2,369	3,734		
PENNSYLVANIA STATE UNIVERSITY	3,610	7,248	3,850	7,694	11,508	17,406
PURDUE UNIVERSITY	1,916	5,800	1,916	5,800		
UNIVERSITY OF TEXAS (Austin)	874	3,994	874	3,994	5,050	19,450
UNIVERSITY OF VIRGINIA	2,526	6,336	2,526	6,336	6,096	12,366
UNIVERSITY OF WASHINGTON	1,731	4,809	2,505	6,228	4,056	10,275
UNIVERSITY OF WISCONSIN (Madison)	1,856	5,638	2,616	7,761	7,992	11,590
AVERAGE OF ABOVE FEE LEVELS	$2,215	$6,013	$2,577	$5,937	$6,335	$14,345
AVERAGE OF U.C. FEE LEVELS (a)	$1,354	$6,360	$1,359	$6,365	$1,532	$6,338

(a) Average of fees charged by the nine campuses except for: Medicine (Davis, Irvine, Los Angeles, San Diego, and San Francisco), Law (Berkeley, Davis, and Los Angeles), and Veterinary Medicine (Davis).

INSTITUTION	DENTISTRY		VETERINARY MEDICINE		LAW	
	Resident	Nonresident	Resident	Nonresident	Resident	Nonresident
UNIVERSITY OF COLORADO (Boulder)	$5,427	$16,215			$2,654	$7,820
CORNELL UNIVERSITY (Statutory Colleges)			8,474	10,224		
UNIVERSITY OF ILLINOIS (Champaign-Urbana)	4,779	11,679	4,892	12,820	3,852	9,700
Lower Division						
Upper Division						
INDIANA UNIVERSITY (Bloomington)	4,800	10,080			2,580	7,050
UNIVERSITY OF IOWA	3,870	10,582			2,200	6,790
IOWA STATE UNIVERSITY			3,870	10,168		
UNIVERSITY OF KANSAS					1,619	4,049
UNIVERSITY OF MARYLAND (College Park)	6,091	13,341			4,375	7,731
UNIVERSITY OF MICHIGAN (Ann Arbor)	7,585	14,027			6,349	13,017
Lower Division						
Upper Division						
MICHIGAN STATE UNIVERSITY			5,808	12,351		
Lower Division						
Upper Division						
UNIVERSITY OF MINNESOTA	5,916	8,718	5,496	8,088	3,728	7,144
Lower Division						
Upper Division						
UNIVERSITY OF MISSOURI (Columbia)	5,789	9,072	4,157	7,699	3,110	6,712
Lower Division						
Upper Division						
UNIVERSITY OF NEBRASKA (Lincoln)	7,050	12,720			2,148	5,208
STATE UNIVERSITY OF NEW YORK (Buffalo)	5,660	11,010			3,226	6,626
UNIVERSITY OF NORTH CAROLINA (Chapel Hill)	1,751	9,165			920	5,890
OHIO STATE UNIVERSITY	4,320	12,828	4,320	12,828	3,090	7,434
UNIVERSITY OF OREGON (Eugene)					2,971	4,335
PENNSYLVANIA STATE UNIVERSITY						
PURDUE UNIVERSITY			4,054	9,472		
UNIVERSITY OF TEXAS (Austin)	4,654	15,154			2,158	4,318
UNIVERSITY OF VIRGINIA					3,736	8,056
UNIVERSITY OF WASHINGTON	4,056	10,275			2,505	6,228
UNIVERSITY OF WISCONSIN (Madison)			6,336	9,179	2,616	7,761
AVERAGE OF ABOVE FEE LEVELS	$5,125	$11,776	$5,267	$10,314	$2,991	$6,993
AVERAGE OF U.C. FEE LEVELS (a)	$1,505	$6,311	$1,500	$6,306	$1,525	$6,331

(a) Average of fees charged by the nine campuses except for: Medicine (Davis, Irvine, Los Angeles, San Diego, and San Francisco), Law (Berkeley, Davis, and Los Angeles), and Veterinary Medicine (Davis).

Appendix C

Community College Students Who Are or May Be Exempted from Paying Nonresident Tuition

A. Members of the military on active duty in California and dependents, (ECS 68074-68075).

B. Peace and law enforcement officers who enroll in academic training courses for the purposes of meeting conditions of employment.

C. Agricultural laborers and their children and wards who have resided in the district two months of each of the last two years and have filed a state income tax return, (ECS 68100).

D. Full-time employees of a community college or child or spouse of the full-time employee, (ECS 68079).

E. Indentured apprentices in courses related and supplemental instruction, (ECS 76142).

F. Students holding a valid credential authorizing service in public schools and employed full-time requiring certification qualifications for the college year in which enrolled, (ECS 68078).

G. A student who has not been an adult resident of California for more than one year and is a dependent child of a California resident, (ECS 68076, effective January 1, 1989).

H. Students participating in Fresno County Greater Avenue for Independence (GAIN) program (from January 1, 1989 to June 30, 1991) (ECS 76170-76173) (AB 3212, Jones 1988).

I. Immigration Reform and Control Act (IRCA) of 1986, PL 99-603 and State Legalization Impact Assistance Grants (SLIAG). SLIAG is provided to reimburse or pay for costs incurred in providing educational services amongst other areas. The funding criteria states that all eligible legalized aliens regardless of ethnic background or place of residence have access to the educational services needed to assist them in adjusting from temporary to permanent resident status as well as qualifying for U.S. citizenship (PL 99-603).

J. High school students enrolled in community college courses for high school credit.

Appendix D

Exceptions to the General Residency Rule

SEVERAL exceptions exist to California's general residence requirements that are limited in scope and quite detailed. Some of them provide for:

Children of previous California residents

If you are under age 18 and your parents were California residents for the immediate preceding year but moved outside of California prior to the residence determination date, you may be eligible for a resident classification if you remained in California and enrolled at an institution within one year. This exception continues for one year after you reach the age of 18 as long as, once enrolled, you maintain continuous attendance at an institution.

Self-supporting minors

If you are a minor, have been entirely self-supporting and in California for one year prior to the residence determination date with the intent of establishing residence in California, you may be eligible for a resident classification. This exception continues until you have resided in the State the minimum time necessary to become a resident.

Minor dependents of California adults

If you are a minor and you have lived with and been under the continuous direct care and control of an adult or adults, not a parent, for two years immediately preceding the residence determination date, you may be eligible for a resident classification. Such adult must have been a California resident for the most recent year. This exemption continues until you have resided in the State the minimum time necessary to become a resident so long as continuous attendance is maintained at an institution.

Military personnel

If you are a member of the U.S. armed forces stationed in California on active duty for purposes other than education at a State-supported

college or university, you may be eligible for a resident classification until you have resided in the state the minimum time necessary to *become a resident.*

Military dependents

If you are the dependent child or dependent spouse of a member of the U.S. armed services stationed in California on active duty on the residence determination date, you may be eligible for a resident classification. This exception is not affected by the transfer of the military person directly to a post outside California or the retirement of that military person. This exception continues until you have resided in the State the minimum time necessary to become a resident.

Children of deceased police or fire personnel

If your parent was a California resident employed in public law enforcement or fire suppression and was killed in the course of this duty, you may be eligible for a resident classification.

Adult aliens

If you are an adult alien who is not precluded by the Immigration and Nationality Act from establishing domicile in the United States, and you have had residence in California for more than one year prior to the residence determination date, you may be granted resident classification.

Public school staff

If you hold a valid credential authorizing you to teach or serve in a California public school, and if you are employed full time by a school district in a position requiring certification, you may be eligible for a resident classification if you enroll in courses necessary to fulfill additional credential or fifth-year education requirements.

Institutional staff and dependents

If you are a full-time employee of the institution, or if your parent or spouse is a full-time employee, you may be eligible for a resident classification at the option of the institution. This exception is also available, at the option of the institution, to an employee of any state agency employed on or after January 1, 1985, who is assigned to

work outside the State and the spouse and children of such employee. This exception continues until you have resided in the State the minimum time necessary to become a resident.

Exchange students

If you enroll in a California institution from another state or country as an exchange student in a one-on-one exchange program, your nonresident tuition may be waived.

Apprentices

If you are an apprentice under Section 3077 of the California Labor Code, you are entitled to resident classification at a community college.

References

Chancellor's Office, California Community Colleges. *Review of Out-of-State/Out-of-Country Fees.* Sacramento: The Chancellor's Office, March 1989.

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Master Plan Survey Team. *A Master Plan for Higher Education in California, 1960-1975, Prepared for the Liaison Committee of the State Board of Education and The Regents of the University of California.* Sacramento: California State Department of Education, 1960.